

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE MINISTRY OF FOREIGN AFFAIRS AND INTERNATIONAL COOPERATION,
THE MINISTRY OF INTERIOR
AND THE MINISTRY OF LABOUR AND SOCIAL POLICIES
OF THE ITALIAN REPUBLIC, OF THE ONE PART,
AND
THE MINISTRY OF FOREIGN AFFAIRS,
THE MINISTRY OF HOME AFFAIRS
AND THE MINISTRY OF THE EXPATRIATES' WELFARE AND OVERSEAS
EMPLOYMENT
OF THE PEOPLE'S REPUBLIC OF BANGLADESH, OF THE OTHER PART,
IN THE FIELD OF MIGRATION AND MOBILITY**

The Ministry of Foreign Affairs and International Cooperation, the Ministry of Interior and the Ministry of Labour and Social Policies of the Italian Republic, of the one part, and the Ministry of Foreign Affairs, the Ministry of Home Affairs and the Ministry of the Expatriates' Welfare and Overseas Employment of the People's Republic of Bangladesh, on the other part, hereinafter referred to as the "Parties" and individually, respectively, as the "Italian Party" and the "Bangladeshi Party",

DESIRING to enhance mutual cooperation in the field of migration and mobility between the two countries, in consideration of the long-standing friendship between them;

SEEKING to uphold human and labour rights of migrant workers, in order to promote safe, orderly and regular migration;

RECOGNISING the benefits that may arise from close cooperation to promote safe, orderly and regular migration;

TAKING INTO ACCOUNT the United Nations Convention against Transnational Organized Crime, done at Palermo on 12 December 2000 and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime done at New York on 15 November 2000;

DETERMINED to deepen bilateral cooperation to prevent irregular migration, to inform the population on the risks of irregular migration and to stem criminal organisations which exploit the trafficking of human beings;

CONSIDERING the obligations arising from international law and, for the Italian Party, from its membership of the European Union, including the obligations regarding personal data protection.

Upholding the spirit of implementation of the EU-Bangladesh "Standard Operating Procedures for the Identification and Return of Persons without an Authorization to Stay", signed by the European Commission and the Government of Bangladesh on 20 September 2017,

Have entered into the following Memorandum of Understanding, (hereinafter referred to as the "Memorandum"):

Article 1

Purposes and principles of the Memorandum

1. The purposes of this Memorandum are the following:

- a) Development and expansion of the cooperation between the Parties, by facilitating the mobility of employed and self-employed Bangladeshi workers and professionals in Italy, in an efficient, transparent and cost-effective manner, also via vocational and civic linguistic training, if applicable;
- b) Exchange of information and discussion of initiatives to prevent irregular migration, also via media campaigns aimed at informing Bangladeshi citizens on the risks of irregular migration and on legal migration channels;
- c) Cooperation in the fight against illegal migration, exploitation and trafficking of human beings, including the return of persons in irregular situations, in accordance with respective national legislations;
- d) Discussion of any other area of cooperation in the field of legal migration for the purpose of employment.

2. This Memorandum will be implemented in accordance with the Italian and Bangladeshi legislations, as well as with applicable international law and, as for the Italian Party, the obligations arising from Italy's membership of the European Union.

3. The Parties will timely inform each other in case the introduction of changes to the national or European legislations makes one or more provisions of this Memorandum inapplicable.

4. This Memorandum does not constitute an international agreement, which may lead to rights and obligations under international law. No provision of this Memorandum is to be interpreted and implemented as a legal obligation or commitment of the Parties.

Article 2

Definitions

For the purposes of this Memorandum, the expressions below have the following meanings:

- a) "Flows Decree": the Decree of the President of the Council of Ministers of the Italian Republic, which regulates the maximum number of admissions of non-EU citizens into the Italian territory for work reasons.
- b) "Professional Training and Internship Decree": the three-year inter-ministerial Decree of the Ministry of Labour and Social Policies of the Italian Republic adopted in agreement with the Ministry of Foreign Affairs and the Ministry of Interior, to regulate the maximum number of admissions of non-EU citizens for professional training and internship within an Italian company.
- c) "Legislative Decree 286/1998": the Italian Consolidated Text of Provisions on the Regulation of Immigration and Rules on the Status of Foreigners, as amended.
- d) "Employee/employed worker": someone hired by another person or company to perform a job. Employees have a specified pay rate and undersign a written employment contract with the employer they work for.

- e) "Self-employed worker": someone who works in his/her own business or professional practice for the purpose of earning a profit. A self-employed person may also be defined as an independent worker/freelance.
- f) "Seasonal worker": a worker who legally and temporarily stays on the Italian territory (up to nine months) to carry out an activity dependent on the passing of the seasons, in agriculture and tourism sectors, under one or more fixed-term work contracts, according to the Italian legislation.
- g) "Non-seasonal workers": a worker who enters Italy with a fixed-term or long-term contract to carry out an activity as employed worker.
- h) "Internship": a study-work training course aimed at providing guidance and vocational training, and at improving the matching of labour supply and demand. If aimed at obtaining an officially recognised Certification, Diploma or Degree, it is defined as curricular. Extra-curricular internships, on the other hand, are generally aimed at providing job seekers with work experience in the private sector or public institutions. It does not correspond to an employment contract.
- i) "Employer" means an Italian/legally residing in Italy person or company or owner of any business venture in Italy that employs the workers pursuant to the relevant rules and laws of the Italian Republic.
- j) "Sending Agency" refers to the Government or Private Recruiting Agency with valid license in Bangladesh to recruit and send the workers to the receiving country.
- k) "Competent Authority" means any national authority of the Italian Republic and the People's Republic of Bangladesh entrusted with the implementation of this Memorandum.

Article 3

Migration for work reasons

1. The Parties will consult each other in order to coordinate and assess initiatives aimed at promoting legal migration channels for work reasons, including:
 - a) setting up of media campaigns about opportunities of regular migration to Italy and about the risks linked with irregular routes of migration;
 - b) exchange information about job opportunities in Italy, in order to match job supply and demand;
 - c) organisation of skill development training, including technical, vocational and civic linguistic training;
 - d) allocation of reserved and, as applicable, of extra quotas of working permits to Bangladeshi citizens, as provided for by the "Flows Decree";
2. The activities outlined in the previous paragraph may involve the participation of International Organisations or of other European partners, and of other public and private institutions and organisations.

Article 4

Entry of Bangladeshi workers into Italy

1. The Italian Party will facilitate the entry of Bangladeshi workers according to procedures and quotas set for each professional category, based on the Italian legislation and the provisions of the "Flows Decree".
2. Italy will reserve a quota for non-seasonal workers coming from Bangladesh for every year within the specific quota of the Flows Decree reserved to citizens of third countries with which Italy has signed a cooperation agreement or arrangement on migration. The maximum number of citizens who can benefit from this provision may be revised according to the needs of the Italian labour market and the conditions set by the Italian legislation and the Flows Decree.
3. Italy will reserve a quota for seasonal workers coming from Bangladesh for every year within the specific quota of the Flows Decree reserved to citizens of third countries with which Italy has signed a cooperation agreement or arrangement on migration. The maximum number of citizens who can benefit from this provision may be revised according to the needs of the Italian labour market and the conditions set by the Italian legislation and the Flows Decree.
4. The Parties will cooperate to facilitate the matching of job supply and demand of non-seasonal and seasonal employed workers, in accordance with the procedures set by Italian legislation, also with the support of public and private bodies and Italian employers' associations authorised by the relevant authorities according to current regulations to carry out employment services.
5. The Italian Party will facilitate the issuance of appropriate visa for special categories of workers in the sectors, in accordance with the procedures set by Italian law, within the quotas and under conditions specified by the Flows Decree.
6. The Italian Party will facilitate the issuance of self-employment working visa, under the conditions set by the Legislative Decree 286/1998 and the Italian Legislation in the sectors, within the quotas and under conditions specified by the "Flows Decree".
7. Detailed information about procedures regarding recruitment, entry, contract conditions and return of Bangladeshi workers will be exchanged and discussed upon in the Joint Working Group as referred to in Article 13 of this Memorandum.
8. The employer and the employee will come to an employment contract proposal contained in the *nihil obstat* (no objection) request in accordance with the laws of the Italian Republic and the People's Republic of Bangladesh. The signing of the contract will take place after the entry of the Bangladeshi worker into the Italian national territory following the release of the *nihil obstat* (no objection) and visa under the provisions of articles 22 and 23 of the Legislative Decree 286/1998.
9. The employer will draw up the proposal of the employment contract with the selected workers before they travel to Italy, which includes information on job description, duration of employment, working hours, salary, overtime per hour, accommodation, food, leave, medical, insurance, transportation, travel expenses and other benefits.
10. In the event of an accident or serious illness or death of an employee during the tenure of employment contract, the employee or his/her representative, the employer and/or the receiving agency, as applicable, will notify the Competent Authority of both countries in order to take appropriate measures.

Article 5

Implementation

1. The recruitment, employment and return of Bangladeshi workers will be conducted in accordance with the relevant national legislations and within the terms of this Memorandum.
2. Bangladeshi workers in possession of an Italian working and residence permit will benefit from equal treatment and full equality of rights as accorded to Italian nationals and foreign workers legally residing in Italy. They are subject to Italian laws and regulations, with regard to working standards, including wages, working conditions, social protection, health, hygiene, and workplace safety.

Article 6

Skill development training

1. In accordance with their national legislations, the Parties will encourage skill development training, including technical, vocational and civic linguistic training of Bangladeshi citizens, in order to foster their career development, to address the needs of skilled professionals requested by the Italian labour market and to facilitate the matching of job demand and supply in Italy.
2. The Parties will discuss appropriate initiatives on professional pre-departure training for selected Bangladeshi workers, according to their current legislation and the Guidelines issued by the Ministry of Labour and Social Policies of the Italian Republic on professional training abroad, which will include basic linguistic skills, professional training, civic education and way of living in Italy, legislation on labour rights and workplace safety. These initiatives may involve the participation of regional authorities, employers' associations, and other public and private institutions.
3. The Italian Party will facilitate the issuance of visas for Bangladeshi citizens interested in attending professional training courses or taking part in internships under the conditions set by article 39-bis paragraph 1 of Legislative Decree 286/1998 and by the Italian legislation, within the quota established by the "Professional Training and Internship Decree", under the conditions set by the Italian legislation.

Article 7

Remittances

The Parties will cooperate to ensure that Bangladeshi workers can send to Bangladesh, without hindrance, remittances coming from regular working activity.

Article 8

Cooperation against irregular migration

1. The Parties will cooperate closely in addressing the root causes of irregular migration and in combating migrant smuggling and trafficking in human beings.
2. To prevent irregular migration from Bangladesh, the Bangladeshi Party will take the necessary measures to sensitise its population to the dangers of irregular migration, as well as of migrant smuggling and trafficking in human beings, including through media and awareness raising campaigns, for the purpose of informing the general public and preventing potential migrants from falling victims to organised criminal groups.

Article 9

Return of persons in an irregular situation

1. The Parties will cooperate for the return of Bangladeshi citizens in full compliance with the EU-Bangladesh Standard Operating Procedures for the Identification and Return of Persons without an Authorization to Stay, signed between the European Commission and the Government of Bangladesh on the 20th of September 2017.
2. Effective cooperation on return could lead to the granting of an "extra quota" of working permits for Bangladeshi citizens as provided for by the "Flows Decree".

Article 10

Technical and operational police cooperation to prevent irregular migration

1. The Parties will develop technical and operational police cooperation within the framework of their respective laws and regulations, with the aim of preventing irregular migration and fighting against smuggling of migrants and trafficking in human beings, through the exchange of best practices and experience on:
 - a) investigation, analysis production and any relevant information for the identification of criminal organisations;
 - b) document fraud detection and training of specialists in this field;
 - c) identity and travel document production, in order to increase the level of security of respective national identity and travel documents and to design new documents in line with international standards.
2. The Parties will designate the relevant national Authorities in charge of implementing technical cooperation in the above-mentioned specific areas.
3. Each Party may deploy its own experts to the other Party in order to improve bilateral technical cooperation in tackling irregular migration, including returns.

Article 11

Unaccompanied minors

1. The Parties will cooperate to prevent irregular migration of unaccompanied children, through awareness raising and information activities about risks and legal consequences.
2. The Parties will cooperate in order to assess the identities, whereabouts, the socio-economic family context of origin and conditions of Bangladeshi unaccompanied minors arriving in Italy, through family tracing and assessment activity, taking into consideration the provisions of the Italian legislation to ensure the protection of their superior interest.
3. Family tracing and assessment activity may also aim at the activation of individualized projects of assisted voluntary return of minors under the provisions of the Italian judicial authority, through the strengthening of cooperation networks between public and local administrations, social services and international organizations.

4. The Parties will raise awareness and inform the Competent Authorities on the importance of the acquisition of documents of unaccompanied minors in order to activate administrative procedures for their protection in Italy.

5. Technical cooperation between Competent Authorities of the two countries in this regard may require a specific Memorandum.

Article 12

Personal data processing

1. In the implementation of this Memorandum, the Parties will exchange, process and collect personal data only if it is necessary and proportionate to achieve the purposes defined in this Memorandum.

2. The receiving Party will not process personal data in a manner that is incompatible with the original purposes or transfer them to third parties without the prior written consent of the transferring Party.

3. The Parties will take the necessary technical and organizational measures to ensure a level of security and confidentiality that is appropriate to the risk of data breach.

4. The transferring Party will guarantee the accuracy and timely updating of the transmitted data, as well as the prompt correction of any errors.

5. Personal data exchanged under this Memorandum will be deleted as soon as they are no longer required for the purposes for which they were transferred.

6. The exchange of personal data aimed at returning persons in irregular situation or at preventing irregular migration will be carried out only in the following cases:

- a) to protect a key interest of the data subject or of another natural person;
- b) to safeguard the legitimate interests of the data subject as provided for by the law of the transferring Party;
- c) to prevent an immediate and serious threat to the public security of the Parties or of a third country;
- d) in specific cases, with a view to preventing, investigating, establishing and prosecuting crimes and enforcing criminal sanctions in the country of the transferring Party or with a view to establishing, exercising or defending a right before the competent judicial authorities in relation to the above-mentioned aims.

Article 13

Joint Working Group

1. To monitor the implementation of this Memorandum, the Parties will create a Joint Working Group composed of representatives of the Parties.

2. The Joint Working Group will meet at least once a year in either country alternately or as deemed necessary at the request of either Party. It will evaluate the implementation of the provisions of this Memorandum and submit appropriate proposals to improve it. The agenda and the composition of the Joint Working Group will be determined for each meeting by mutual consultations.

Article 14

Financial coverage

The expenses arising from the implementation of this Memorandum will be covered by the Parties within the limits of their ordinary budget availability, without any additional cost for the State budgets of the Italian Republic and the People's Republic of Bangladesh.

Article 15

Settlement of Differences

Any difference in the interpretation and/or implementation of this Memorandum will be settled within the Joint Working Group or, otherwise, will be solved amicably through direct consultations and negotiations between the Parties.

Article 16

Entry into operation, Duration and Termination

1. This Memorandum takes effect on the date of the signature.
- v2. This Memorandum will remain valid for five (5) years, and will be automatically renewed for another period of five (5) years unless one of the Parties notifies the other of its intention to terminate it three (3) months prior to the date of renewal. However, termination of the present Memorandum will not affect the existing employment contracts of the workers concluded and implemented under this Memorandum.
3. This Memorandum may be amended in writing by mutual consent of the Parties.

Signed in Dhaka, on 06th May 2025, in two originals, each in the English language, both texts being equally authentic.

For

**The Ministry of Foreign Affairs and
International Cooperation,
The Ministry of Interior and
The Ministry of Labour and Social
Policies of the Italian Republic**



**Matteo Piantedosi
Minister
Ministry of Interior**

For

**The Ministry of Foreign Affairs,
The Ministry of Home Affairs and
The Ministry of Expatriates' Welfare
and Overseas Employment of the
People's Republic of Bangladesh**



**Dr. Asif Nazrul
Adviser
Ministry of Expatriates' Welfare and
Overseas Employment**